

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WESTERN FLEMING COUNTY)	
WATER DISTRICT REQUESTING A DEVIATION)	CASE NO.
FROM REQUIREMENTS OF 807 KAR 5:066,)	2016-00424
SECTION 4(4))	

ORDER

On December 6, 2016, the Commission received an application submitted by Western Fleming County Water District (“Western Fleming”) for a deviation from 807 KAR 5:066, Section 4(4), the Commission’s minimum water storage capacity requirement (“Application”). The Application was not signed by an attorney of record and did not contain the information required by 807 KAR 5:001, Section 4(3)(a); further, the Application was not, as required by 807 KAR 5:001, Section 4(4), submitted by an attorney licensed to practice law in Kentucky or an attorney who has complied with Kentucky Supreme Court Rule 3.030(2). Due to these two deficiencies in the submission of the Application, Western Fleming’s Application was found to be deficient and was rejected for filing by letter dated December 7, 2016.¹

On February 3, 2017, Western Fleming submitted a revised Application signed by Patrick E. Price, an attorney licensed to practice law in Kentucky. The February 3, 2017 submission cured the deficiencies, and the Application was filed as of that date.² On

¹ Letter to Vernon Barton, Western Fleming, from Talina Mathews, Executive Director, Public Service Commission (Dec. 7, 2016).

² Letter to Parties of Record from Talina Mathews, Executive Director, Public Service Commission (Feb. 6, 2017)

March 7, 2017, Commission Staff's First Request for Information to Western Fleming ("Staff's First Request") was filed into the record. The information requested was due within 14 days of the date the request was filed into the record.³

On March 24, 2017, Western Fleming filed a motion requesting an extension of time ("Motion") through May 1, 2017, in which to file its responses to Staff's First Request. In support of its Motion, Western Fleming stated that it requires the assistance of its engineer and additional time to answer the request. On April 3, 2017, Western Fleming filed its responses to Staff's First Request into the record.

Considering the information requested by Staff's First Request and Western Fleming's filing of the responses into the record on April 3, 2017, we find that Western Fleming's request for an extension of time is reasonable and should be granted.

The Commission, having considered the motion and finding good cause, HEREBY ORDERS that Western Fleming's Motion for an extension of time is granted and Western Fleming's responses to Staff's First Request are accepted for filing as of April 3, 2017.

By the Commission



ATTEST:


Executive Director

³ Staff's First Request (Mar. 7, 2017) at 1.

*Patrick E. Price
Suit, Price, Price & Ruark, PLLC Attorneys at Law
207 Court Square
Flemingsburg, KENTUCKY 41041

*Western Fleming County Water District
1500 Ewing Road
P. O. Box 16
Ewing, KY 41039

*Vernon Barton
Chairman
Western Fleming County Water District
1500 Ewing Road
P. O. Box 16
Ewing, KY 41039